

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

TAUHID CHOUDHURY and LEVI MEYERS,

Plaintiff,

V.

JAGUAR COURIER SERVICE, INC. and
EDDIE WATSON,

Defendants.

[illegible]

CIVIL ACTION NO.
4:12-cv-00722-RAS-DDB

**JOINT MOTION TO DISMISS WITH PREJUDICE AND
FOR APPROVAL OF SETTLEMENT**

COME NOW, Plaintiffs Tauhid Choudhury and Levi Meyers (“Plaintiffs”) and Defendants Jaguar Courier Service, Inc. and Eddie Watson (“Defendants”), by and through their respective attorneys, and respectfully submit the following to the Court:

This is an action for unpaid wages under the Fair Labor Standards Act of 1938, as amended ("FLSA"), 29 U.S.C. § 201 *et seq.* Plaintiffs are the named plaintiff, Tauhid Choudhury, and the opt-in plaintiff, Levi Meyers. There are no other plaintiffs in this case. Plaintiffs did not file a motion for conditional certification. Plaintiffs assert that they are owed minimum wage and overtime wages based on their work for Defendants. Plaintiffs contend that they were misclassified as independent contractors. Defendants deny Plaintiffs' allegations in their entirety. The parties have reached a resolution of this matter and entered into a confidential Settlement Agreement, which is filed under seal as Dkt. No. 34-1, pursuant to the Court's order granting the parties' motion to seal, Dkt. No. 35. The parties agree that the Settlement Agreement reflects a fair and reasonable compromise and settlement. Therefore, the parties

jointly request the Court approve their settlement and dismiss this case with prejudice.

WHEREFORE, the parties respectfully request that the Court dismiss the case with prejudice and approve the Settlement.

/s/ Bea Sosa-Morris

/s/ Barry S. Hersh

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COUNSEL FOR DEFENDANTS

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was filed using the Eastern District of Texas's CM/ECF system which is to send notice of service of the foregoing filing to all opposing parties by and through their attorney(s) of record via e-mail. Certified on this 9th day of December 2013.

/s/ Barry S. Hersh

Barry S. Hersh